

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Marcus Caruso,

Plaintiff(s),

vs.

Madison Advance LLC, et al.,

Defendant(s).

2:25-cv-00888-JCM-MDC

ORDER

Pending before the Court is plaintiff's *Motion for Pro Se Plaintiff to File Electronically* (ECF No. 2). Plaintiff seeks to file his documents via the Court's CM/ECF system. *Id.* The Court notes, however, that while plaintiff has paid the filing fee in this case, he has not filed a Complaint. "A civil action is commenced by filing a complaint with the court." Fed. R. Civ. P. 3. Plaintiff's *Motion for Pro Se Plaintiff to File Electronically* (ECF No. 2) is not properly before this Court. Therefore, the Court denies plaintiff's motion without prejudice. Plaintiff may refile the *Motion for Pro Se Plaintiff to File Electronically* **after** filing his Complaint¹.

ACCORDINGLY,

IT IS ORDERED that:

1. The *Motion for Pro Se Plaintiff to File Electronically* (ECF No. 2) is **DENIED without prejudice**.
2. Plaintiff shall file his Complaint by no later than **June 27, 2025**.
3. The Clerk of the Court is kindly directed to send to Plaintiff the approved form for filing a civil complaint, instructions for the same, and a copy of this Order.

¹ The form for filing a civil complaint can be found at: <https://www.uscourts.gov/forms-rules/forms/complaint-a-civil-case>

1 4. Failure to timely comply with this Order may result in a recommendation that this case be
2 dismissed.

3 DATED this 28th day of May 2025.

4 IT IS SO ORDERED.

5 
6 Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

7 **NOTICE**

8 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and
9 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk
10 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal
11 may determine that an appeal has been waived due to the failure to file objections within the specified
12 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

13 This circuit has also held that (1) failure to file objections within the specified time and (2)
14 failure to properly address and brief the objectionable issues waives the right to appeal the District
15 Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d
16 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).
17 Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any
18 change of address. The notification must include proof of service upon each opposing party's attorney,
19 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may
20 result in dismissal of the action.
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